

REMARKS

This application has been reviewed further in light of the Office Action dated November 14, 2008. Claims 1, 3-17, 51-58, and 72-86, 88-90, 92-94, 96, 98, 100, and 101 remain pending in this application. Claims 2, 91, 95, 97, and 99 have been canceled without prejudice or disclaimer of subject matter. Claims 1, 5, 51, 53, 72, 76, 77, 82, and 84 are in independent form. Claims 5-9 and 53 stand allowed. Claims 1, 51, 53, 72, 76, 77, 82, and 84 have been amended. Favorable reconsideration is requested.

Claims 1-4, 13, 14, 17, 51, 52, 56, 72-85, 87, 91, 95 and 99 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,477,288 (*Sato*). Claims 10-12, 54, 55, 86, 89, 90, 93, 94, 96, 98, and 100 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Sato*. Claims 15, 16, 57, 58, and 101 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Sato* in view of U.S. Patent No. 5,986,783 (*Sharma et al.*).

Cancellation of the claims mentioned above renders their rejections moot.

The Examiner is sincerely thanked for conducting telephone interviews with the undersigned representative on November 9, 2009. During the interviews, an amendment along the lines of that shown above in Claim 1 was discussed, to emphasize that each switch of a node has an input and an output coupled to first and second optical fibers, respectively, and another input and another output coupled to third and fourth optical fibers, respectively. Each switch thus is coupled to an adjacent node by way of those fibers connected to the switch.

The Examiner tentatively agreed that such an amendment would overcome the outstanding rejection based on *Sato*. The Examiner is thanked for that indication. In view of the above amendment to Claim 1, it is believed that the rejection of that claim over *Sato* is now obviated.

The other rejected independent claims have been amended in a manner similar to the foregoing amendment, and thus the rejections of those independent claims over *Sato* also are believed to be obviated.

A review of *Sharma et al.* has failed to reveal anything which is understood to remedy the above-described deficiencies of *Sato* against the independent claims herein. Accordingly, those claims are believed to be patentable over both of those references.

The other pending claims in this application are each dependent from one or another of the independent claims discussed above and also are believed to be patentable over the art relied on in the Office Action for the same reasons as are those independent claims. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Should the Examiner believe that issues remain outstanding, he is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues prior to issuing a next action, and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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